

CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO, P.C.

COUNSELLORS AT LAW

CHARLES C. CARELLA
BRENDAN T. BYRNE
PETER G. STEWART
ELLIOT M. OLSTEIN
ARTHUR T. VANDERBILT, II
JAN ALAN BRODY
JOHN M. AGNELLO
CHARLES M. CARELLA
JAMES E. CECCHI

JAMES D. CECCHI (1933-1995)
JOHN G. GILFILLAN III (1936-2008)

JAMES T. BYERS
DONALD F. MICELI
A. RICHARD ROSS
KENNETH L. WINTERS
JEFFREY A. COOPER
CARL R. WOODWARD, III
MELISSA E. FLAX
DENNIS F. GLEASON
DAVID G. GILFILLAN
G. GLENNON TROUBLEFIELD
BRIAN H. FENLON
LINDSEY H. TAYLOR
CAROLINE F. BARTLETT

**5 BECKER FARM ROAD
ROSELAND, N.J. 07068-1739
PHONE (973) 994-1700
FAX (973) 994-1744
www.carellabyrne.com**

RICHARD K. MATANLE, II
FRANCIS C. HAND
AVRAM S. EULE
RAYMOND W. FISHER

OF COUNSEL

RAYMOND J. LILLIE
WILLIAM SQUIRE
ALAN J. GRANT*
STEPHEN R. DANEK
ERIC MAGNELLI
DONALD A. ECKLUND
AUDRA E. PETROLLE
MEGAN A. NATALE
AMANDA J. BARISICH
ZACHARY S. BOWER+
*MEMBER NY BAR ONLY
+MEMBER FL BAR ONLY

January 24, 2012

VIA ECF

The Honorable Dennis M. Cavanaugh
United States District Judge
United States Post Office
Newark, New Jersey 07101

Re: *In re Schering-Plough Corporation ENHANCE Securities Litigation*,
Civil Action No. 08-397 (DMC)(JAD)

In re Merck & Co., Inc. Vytorin/Zetia Securities Litigation,
Civil Action No. 08-2177 (DMC)(JAD)

Dear Judge Cavanaugh:

We are co-liaison counsel for Plaintiffs and the Class in the above referenced matters. In response to Lead Plaintiffs' motion for class certification in the *Schering-Plough* matter, Lead Plaintiffs received two opposition briefs totaling 60 pages and a 40-page expert declaration from Defendants. In response to Lead Plaintiffs' motion for class certification in the *Merck* matter, Lead Plaintiffs received a 40-page opposition brief and a 32-page expert declaration from Defendants.

Pursuant to L. Civ. R. 7.2, the *Schering-Plough* Plaintiffs are entitled to two 15-page reply briefs (totaling 30 pages) and the *Merck* Plaintiffs are entitled to one 15-page reply brief. In order to adequately address all the arguments raised in Defendants' briefs, we respectfully request that in *Schering-Plough*, Lead Plaintiffs be permitted to file one combined reply brief of up to 40 pages in 14-point font (as opposed to two separate briefs totaling 30 pages) and that in *Merck*, Lead Plaintiffs be permitted to file one reply brief of up to 25 pages in 14-point font.

We have requested Defendants' consent to this request, but they have not yet responded. If our proposal is acceptable to the Court, kindly "So Order" this letter and have a "filed" copy returned to us via the Court's ECF system.

The Honorable Dennis M. Cavanaugh

January 24, 2012

Page 2

Thank you for your consideration of this matter. If the Court has any questions, we are available at your convenience.

Respectfully submitted,

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO

/s/ James E. Cecchi

JAMES E. CECCHI

cc: All counsel (via ECF)